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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,722	11/17/2003	Gary J. Dennis	98048-C1 (BLL-0066C)	2347
36192	7590	09/08/2005	EXAMINER	
CANTOR COLBURN LLP			BAROT, BHARAT	
55 GRIFFIN ROAD SOUTH			ART UNIT	
BLOOMFIELD, CT 06002			PAPER NUMBER	
			2155	

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

83

Office Action Summary

Application No.

10/714,722

Applicant(s)

DENNIS, GARY J.

Examiner

Bharat N. Barot

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

RESPONSE TO AMENDMENT

1. Claims 1-7 and new claims 8-12 remain for further examination.

The old rejection maintained

2. Applicant's arguments with respect to claims 1-12 filed on June 13, 2005 have been fully considered but they are not deemed to be persuasive for the claims 1-12. The rejection is respectfully maintained as set forth in the last Office Action mailed on March 11, 2005.

Claim Rejections - 35 USC § 102(e)

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-4 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Luzeski et al (U.S. Patent No. 6,430,177).
5. Luzeski teaches the invention as claimed including a universal messaging system providing integrated voice, data, and fax services to WEB clients (see abstract).

6. As to claim 1, Luzeski teaches a computer-implemented method for communicating content intended for delivery to a recipient of an electronic mail message having an attached electronic file, containing an identify of a remote server computer (see abstract and figures 1-4) comprising:

responsive to an input signal, accessing the attached electronic file (inbox applet) (figures 1-4 and columns 20-21, Luzeski discloses that an inbox applet is accessed representing an attached file);

obtaining the identity of a remote server computer hosting the content in response to accessing the attached electronic file (applet) (columns 20-21, Luzeski discloses that the message content is accessed from a message server in response to user input);

displaying a launch control; and responsive to a selection of the launch control, displaying the content intended for delivery to the recipient of the electronic mail message by using the identity of the server to establish a connection with the remote server computer (figures 1-3 and columns 5-6, 13-14, and 20-21, Luzeski discloses that the messaging platform server is accessed based on the message ID to retrieve message content).

7. As to claim 2, Luzeski teaches that the step of displaying the content intended for delivery to the recipient of the electronic mail message comprises the steps of:

launching a browser program; providing the browser program with the identity of a the remote server hosting the content (columns 5-7, Luzeski discloses using a browser program to view message content);

establishing a connection by the browser program with the remote server computer; and displaying the content within a viewing window of the browser program (columns 5-6, Luzeski discloses using a browser to view the email content).

8. As to claim 3, Luzeski teaches that the remote server hosts a web site containing the content intended for delivery to the recipient of the electronic mail message and the attached electronic file only contains instructions for accessing the content at the web site (columns 18-20, Luzeski discloses that a web site is accessed for lists of new and old messages and that an applet is identified and downloaded to access the content).

9. As to claim 4, Luzeski teaches that the step of displaying a message contained in the attached electronic file in response to receiving the input signal (columns 19-20).

10. As to claim 7, Luzeski teaches that the step of opening a browser' program by launching the file attachment from a viewer program to access the content at the remote server computer in response to JavaScript commands contained in the electronic file attachment (columns 19-20, Luzeski discloses that java applets downloaded in response to message selection for viewing the message content).

Claim Rejections - 35 USC § 103(a)

11. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

12. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luzeski et al (U.S. Patent No. 6,430,177).

13. As to claim 5, Luzeski fails to teach the claimed limitation wherein the step of displaying a message contained in the attached electronic file comprises the steps of launching a document-viewing program; displaying the message within a viewing window of the document-viewing program.

However, "Official Notice" is taken that the concept and advantages of launching a document-viewing program in response to a command to display message content is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Luzeski by specifying launching a viewing program to display the content of a message. One would be motivated to do so to allow an Excel formatted attachment to be viewed through an Excel program.

14. As to claim 6, Luzeski teaches that the message of the electronic file attachment comprises a text-based instruction message comprising instructions to aid the recipient's access to the content maintained by the remote server computer (columns 18-20).

15. As to claims 8-12, they are also rejected for the same reasons set forth to rejecting claims 1-7 above, since claims 8-12 are merely an apparatus for the method of operation for defined in the claims 1-7.

Response to Arguments

16. Applicant's arguments with respect to claims 1-12 filed on June 13, 2005 have been fully considered but they are not deemed to be persuasive for the claims 1-12.

17. In the remarks, the applicant argues that:

(A) Argument: Luzeski does not teach displaying a launch control, and then displaying the content responsive to a selection of the launch control.

Response: Luzeski teaches that displaying a launch control; and responsive to a selection of the launch control, displaying the content intended for delivery to the recipient of the electronic mail message by using the identity of the server to establish a connection with the remote server computer (figures 1-3 and columns 5-6, 13-14, and 20-21, Luzeski discloses that displaying a launch control (java applets), and then

Art Unit: 2155

displaying the content responsive to a selection of the launch control, and also disclose that the messaging platform server is accessed based on the message ID to retrieve message content).

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar**, can be reached at **(571) 272-4006**.

Patent Examiner Bharat Barot

Art Unit 2155

August 24, 2005


BHARAT BAROT
PRIMARY EXAMINER